

12/05/2016

Anderson, Diane

*Ed Smith*CLERK OF THE SUPREME COURT
STATE OF MONTANA

Case Number: AF 09-0688

From: Alex Chai <alexjchai@gmail.com>
Sent: Monday, December 5, 2016 9:31 AM
To: Court, SCclerk
Subject: Proposed Changes: Rule 8.4

Clerk of the Montana Supreme
Court
203003
Helena, MT 59620-3003

PO Box

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Ed Smith
CLERK OF THE SUPREME COURT
STATE OF MONTANA

Re: Professional Rules of Conduct- Rule 8.4

Honorable Members of the Court,

In your order of October 26, 2016 regarding case number AF 09-0688 you have called for public comment on the proposed new Rule 8.4(g) of the Professional Rules of Conduct for Montana Attorneys.

As a minister of a local congregation in Billings, Montana I am deeply concerned about the limitations on freedom of religion and freedom of speech that the adoption of this new rule will impose unnecessarily on those that hold to historic, orthodox, Biblical views on sexual orientation, gender identity, and marriage. The right to exercise our religious beliefs and to speak freely without fear are the hallmarks of American society – if these freedoms are taken away, we have lost what is most precious to all of us.

The ABA Committee on Ethics' Memorandum of December 22, 2015, explaining the purpose of the proposed rule change favorably quotes the sentiment that there is "a need for a cultural shift in understanding the inherent integrity of people..." If I understand this statement correctly, the

purpose of proposing this rule change is to impose a “cultural shift” on all Montana attorneys and thus limiting their freedom of speech and religion as citizens. Rather than protecting the rights of the attorneys, their clients, or the purpose of the court, this is an attempt by a small segment of society to force their personal views on others even if it violates their conscience.

I am deeply concerned that the adoption of this rule will also limit the access to legal counsel that churches and non-profits need simply based on their religious beliefs thus creating hardship on individuals and groups that seek the betterment of their communities!

I urge the court to not adopt the proposed changes to Rule 8.4 of the Professional Rules of Conduct.

Sincerely,

Pastor Alex Chai

Word of Life Fellowship